

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK _____ X

MR. TONY HARRISON,
PLAINTIFF,

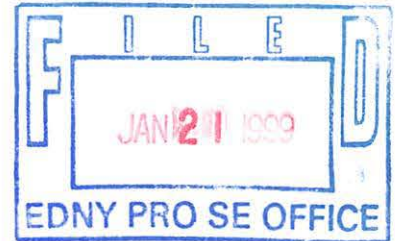
-AGAINST-

A.D.A. Nanci Slater,
NEW YORK CITY POLICE DEPT.
NEW YORK CITY DEPT. OF CORR.
IN TER ALIA,
DEFENDANTS _____ X

RECEIVED
IN CHAMBERS OF
HON. STERLING JOHNSON JR.

JAN 27 1999

TIME A.M.
P.M.



96-CV-1465(S.J.)

NOTICE OF: DEFAULT
MOTION PURSUANT TO
RULE 55(A), FED.R.
CIV.P.

PLEASE TAKE NOTICE, THAT UPON THE ACCOMPANYING AFFIDAVIT
IN SUPPORT OF MR. TONY HARRISON, PLAINTIFF, DULY SWORN TO ON THIS 10th DAY OF
JANUARY 1999.

ALSO THE ATTACHED EXHIBITS HERETO UPON NOTICE HEREIN, AND
ALL PLEADINGS AND PROCEEDINGS HERETOFORE HAD HEREIN THE UNDERSIGNED WILL MOVE
THAT A TERM OF THE UNITED STATES DISTRICT COURT: EASTERN DISTRICT OF NEW YORK;
LOCATED AT 225 CADMAN PLAZA, BROOKLYN, N.Y. 112101, "DEFAULT" DEFENDANTS THAT
HAS FAILED TO RESPOND FOR A LONG TIME, PURSUANT TO RULE 55(A), FED.R.CIV.P.

PLAINTIFF REQUEST THAT THIS DEFAULT MOTION BE FILED "FORTH-
WITH", SEE: U.S. EX. REL. CARTER V. JENNING, D.C. PA. 333 F. SUPP. 1392, -13
97.

(1).

33

UNITED STATES DISTRICT COURT
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MR. TONY HARRISON,
PLAINTIFF,

-AGAINST-

AFFIDAVIT IN SUPPORT OF:
DEFAULT MOTION PURSUANT
TO RULE 55(A), FED.R.CIV.
P.

96-CV-1465(S.J.)

A.D.A. Nanci Slater,
NEW YORK CITY POLICE DEPT.
NEW YORK CITY DEPT. OF CORR.
INTER ALIA,

DEFENDANTS

STATE OF NEW YORK)
COUNTY OF CAYUGA)^{SS}:

I, TONY HARRISON, BEING DULY SWORN AND SAYS:

- A). THAT I AM THE PLAINTIFF IN THE ABOVE TITLED ACTION. I AM FULLY AWARE OF ALL THE FACTS AND CIRCUMSTANCES IN RELATION TO THE INSTANT MATTER. FURTHERMORE, I AFFIRM THAT ALL THE FACTS PRESENTED HEREIN, REGARDING THE SAME IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEVETH.
- B). THE PLAINTIFF MAKES THIS AFFIDAVIT IN SUPPORT OF THE FOREGOING NOTICE OF DEFAULT AGAINST DEFENDANTS LISTED BELOW:

DEFENDANTS SERVED ON ORIGINAL COMPLAINT

- 1). N.Y.C. DEPT. OF CORRECTIONS WAS SERVED ON ORIGINAL COMPLAINT 6/5/96, AND SIGNED BY JOSHEPH GUARINO ASS. DEP. AND SUSAN TUCKER, NO RESPONSE NO PLEADING.
- 2). N.Y.C. POLICE DEPT. WAS SERVED ON ORIGINAL COMPLAINT 5/9/96, NO RESPONSE
- 3). CORRECTIONAL OFFICER HODGE#11923 WAS SERVED ON ORIGINAL COMPLAINT 6/6/96 AND SIGNED BY SALSADO. NO RESPONSE, NO PLEADING.

(2).

CONT. AFFIDAVIT IN SUPPORT

- 4). CORRECTIONAL OFFICER STEWARD WAS SERVED ON ORIGINAL COMPLAINT 6/5/96, SIGNED BY CAPT O' REILLY. NO RESPNSE, NO PLEADING.
- 5). CORRECTIONAL OFFICER NELSON WAS SERVED ON ORIGINAL COMPLAINT 5/14/96, AND SIGNED BY HIM. NO RESPONSE, NO PEADING.

DEFENDANTS SERVED WITH AMENDED COMPLAINT:

- 1). A.D.A. Nanci Slater was served with amended complaint 9/11/96, AND SIGNED BY HER. NO RESPONSE, NO PLEADING.
- 2). CITY OF NEW YORK, PAUL CROTTY OFFICE OF CORP. CNSL. LAW DEPT., FOR CITY OFFICIALS WAS SERVED WITH AMENDED COMPLAINT 9/11/96.
- 3). CORRECTIONAL OFFICER HODGE#11923,(95) WAS SERVED WITH AMENDED COMPLAINT 12/18/96, AND SIGNED BY CAPT. BUSH. NO RESPONSE.
- 4). N.Y.C. POLICE DEPT. BROOKLYN 71ST PCT. WAS SERVED WITH AMENDED COMPLAINT 9/10/96, AND SIGNED BY A SGT.. NO RESPONSE, NO PLEADING. N.Y.C. POLICE DEPT. 1 POLICE PLAZA WAS SERVED WITH AMENDED COMPLAINT 11/5/96, AND SIGNED BY P.O. GODFREY. NO RESPONSE, NO PLEADING.
- 5). DETECTIVE SGT. KENNEDY WAS SERVED WITH AMENDED COMPLAINT 9/26/96 AND SIGNED BY HIM. NO RESPONSE, NO PLEADING.
- 6). DETECTIVE MULLHALL WAS SERVED WITH AMENDED COMPLAINT 9/17/96, AND SIGNED BY HIM. NO RESPONSE, NO PLEADING.
- 7). D.A. CHARLES HYNES WAS SERVED WITH AMENDED COMPLAINT 9/11/96, AND SIGNED BY A A.D.A.. NO RESPONSE, NO PLEADING.

WHEREFORE, I, THE PLAINTIFF IS REQUESTING THAT ALL DEFENDANTS BE "ORDERED" DEFAULT PURSUANT TO RULE 55(A), FED.R.CIV.P.

I DECLARE UNDER THE PENALTY OF PERJURY THE (FOREGOING) IS TRUE AND CORRECT.

DATED: 1/10/99

SEE ATTACHED SUMMONS.

RESPECTFULLY SUBMITTED,


PLAINTIFF, MR. TONY HARRISON